

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1-15. (Canceled)

16. (New) A herpes simplex virus with a genome that comprises (i) an expressible non-herpes simplex virus nucleotide sequence encoding a desired protein and (ii) an alteration, relative to wild type, in the  $\gamma$ 34.5 gene.

17. (New) The herpes simplex virus of claim 16, wherein both copies of said  $\gamma$ 34.5 gene are altered, relative to wild type.

18. (New) The herpes simplex virus of claim 16, further comprising at least one further gene alteration, relative to wild type.

19. (New) The herpes simplex virus of claim 18, wherein said at least one further gene alteration is in the ribonucleotide reductase gene.

20. (New) The herpes simplex virus of claim 16, wherein said herpes simplex virus is G207.

21. (New) The herpes simplex virus of claim 16, wherein said protein is a cytokine.

22. (New) The herpes simplex virus of claim 16, wherein said virus is targeted to a tumor cell of non-nervous tissue origin.

23. (New) The herpes simplex virus of claim 22, wherein said tumor cell is a neural tumor cell.

24. (New) The herpes simplex virus of claim 16, wherein said virus is targeted to a specific tumor type with a tumor cell-specific promoter.

25. (New) The herpes simplex virus of claim 24, wherein said promoter is nestin promoter.

26. (New) The herpes simplex virus of claim 24, wherein said promoter is basic fibroblast growth factor promoter.

27. (New) The herpes simplex virus of claim 24, wherein said promoter is epidermal growth factor promoter.

28. (New) The herpes simplex virus of claim 16, wherein an essential viral gene product of said virus is under the control of a tumor cell-specific promoter rather than its own viral promoter.

29. (New) A composition comprising the herpes simplex virus of claim 16 and a pharmaceutically acceptable vehicle for said virus.